

## GOMEZ TRIAL ATTORNEYS

John H. Gomez (SBN 171485)  
Ahmed S. Diab (SBN 262319)  
Kristen Barton (SBN 256811)  
655 West Broadway, Suite 1700  
San Diego, California 92101  
Telephone: (619) 237-3490  
ADiab@GomezTrialAttorneys.com

## Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

- ) No. MD-15-02641-PHX-DGC
- )
- ) **AMENDED MASTER SHORT FORM**
- ) **COMPLAINT FOR DAMAGES FOR**
- ) **INDIVIDUAL CLAIMS AND DEMAND**
- ) **FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

1. Plaintiff/Deceased Party:

Kent Hoeft

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

N/A

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1       5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of  
2       injury:

3       California

4       6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5       Arizona

6       7. District Court and Division in which venue would be proper absent direct filing:

7       Central District of California

8       8. Defendants (check Defendants against whom Complaint is made):

9        C.R. Bard Inc.

10        Bard Peripheral Vascular, Inc.

11       9. Basis of Jurisdiction:

12        Diversity of Citizenship

13        Other: \_\_\_\_\_

14       a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

15       \_\_\_\_\_

16       \_\_\_\_\_

17       \_\_\_\_\_

18       10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check  
19       applicable Inferior Vena Cava Filter(s)):

20        Recovery® Vena Cava Filter

21        G2® Vena Cava Filter

22        G2® Express (G2®X) Vena Cava Filter

23        Eclipse® Vena Cava Filter

24        Meridian® Vena Cava Filter

25        Denali® Vena Cava Filter

26        Other: \_\_\_\_\_

27       11. Date of Implantation as to each product:

28       07/30/2010

12. Counts in the Master Complaint brought by Plaintiff(s):

- 2       ✓ Count I:                   Strict Products Liability – Manufacturing Defect
- 3       ✓ Count II:                  Strict Products Liability – Information Defect (Failure to Warn)
- 4       ✓ Count III:                Strict Products Liability – Design Defect
- 5       ✓ Count IV:                Negligence – Design
- 6       ✓ Count V:                 Negligence – Manufacture
- 7       ✓ Count VI:                Negligence – Failure to Recall/Retrofit
- 8       ✓ Count VII:               Negligence – Failure to Warn
- 9       ✓ Count VIII:              Negligent Misrepresentation
- 10      ✓ Count IX:                Negligence Per Se
- 11      ✓ Count X:                 Breach of Express Warranty
- 12      ✓ Count XI:               Breach of Implied Warranty
- 13      ✓ Count XII:              Fraudulent Misrepresentation
- 14      ✓ Count XIV:              Violations of Applicable California Law Prohibiting Consumer  
15                                    Fraud and Unfair and Deceptive Trade Practices
- 16      □ Count XV:                Loss of Consortium
- 17      □ Count XVI:               Wrongful Death
- 18      ✓ Punitive Damages
- 19      □ Other(s):                \_\_\_\_\_ (please state the facts  
20                                    supporting this count in the space immediately below)

21                                    \_\_\_\_\_

22                                    \_\_\_\_\_

23    ///

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1 13. Jury Trial demanded for all issues so triable?

2       Yes

3       No

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5 RESPECTFULLY SUBMITTED this 6th day of October, 2016

6 GOMEZ TRIAL ATTORNEYS

7 By: /s/ Ahmed S. Diab